



Planning Commission

1                   **FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**  
2   **November 7, 2018**

3 The meeting was called to order at 7:03 p.m.

4 **Location:** North Berkeley Senior Center, Berkeley, CA

5 **1. ROLL CALL:**

6       **Commissioners Present:** Steve Martinot, Robb William Kapla, Christine Schildt, Jeff  
7       Vincent, Benjamin Fong, Prakash Pinto, Benjamin Beach, Mary Kay Lacey.

8       **Commissioners Absent:** Rob Wrenn (unexcused)

9       **Staff Present:** Secretary Alene Pearson and Sydney Stephenson.

10 **2. ORDER OF AGENDA:** No changes.

11 **3. PUBLIC COMMENT PERIOD:** No speakers.

12 **4. PLANNING STAFF REPORT:** At the October City Council meeting a new referral was  
13 approved to review and revise Chapter 22.16 in regards to community benefits. The City  
14 Manager also gave staff new directions on Cannabis regulations from Council, including  
15 developing regulations for cannabis nurseries. Staff will bring new cannabis nurseries  
16 regulations to the next Planning Commission meeting. Three communications were passed  
17 out tonight. This will be Sydney Stephenson's last Planning Commission meeting.

18 **Communication in the Packet:**

- 19       • 2018-11-07 – 2018 Housing Trust Fund RFP: Applications Received – Jenny Wyant,  
20       Community Development Project Coordinator

21 **Late Communications (Received after the Packet deadline):**

- 22       • 2018-11-07 – New Zero Waste Transfer Station Workshop  
23       • 2018-11-07 – Corrected Commercial Recreation Centers Staff Report – Staff, Item 13

24 **Late Communications (Received and distributed at the meeting):** None.

25 **5. CHAIR REPORT:** None.

26 **6. COMMITTEE REPORT:** The ZORP project will be put on hold for six months and the next  
27 ZORP subcommittee meeting will be in April 2019. The JSISHL November 15 meeting was  
28 cancelled because it will not have a quorum.  
29

30 **7. APPROVAL OF MINUTES:**

31 Motion/Second/Carried (Vincent/Pinto) to approve the Planning Commission Meeting Minutes  
32 from October 3, 2018 with amendment to motion from Item 9. Ayes: Martinot, Schildt, Fong,  
33 Kapla, Vincent, Lacey, Pinto. Noes: None. Abstain: Beach. Absent: Wrenn. (7-0-1-1)

34

35 **8. FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:** At the next  
36 meeting, December 5, bike parking regulations and cannabis nursery regulations will be  
37 presented.

38 **AGENDA ITEMS**

39 **9. Discussion: Local Hazard Mitigation Plan (LHMP) Presentation**

40 Staff from the Office of Emergency Services introduced the Local Hazard Mitigation Plan and  
41 the role the Planning Commission will play in the adoption of the Plan. The Planning  
42 Commission will be reviewing the first draft of the plan around January or February 2019.  
43 And then in October 2019, the Planning Commission will review and recommend the final  
44 draft to the City Council. The Planning Commission asked questions about the Plan and the  
45 process.

46 Public Comments: No speakers.

47 **10. Action: Public Hearing: Referral Response to Amending Home**  
48 **Occupations Chapter 23C.16**

49 Staff presented the amendments to the Home Occupations Chapter (23C.16) for the public  
50 hearing. The Commission asked clarifying questions and then opened the public hearing.  
51 The Commission closed the public hearing and discussed the proposed amendments. The  
52 Commission agreed on all the proposed amendments, however, discussed modifications for  
53 the hours of client/customer visits, and allowing non-resident employees. The Planning  
54 Commission agreed upon changing the language regarding hours of client/customer visits.  
55 The Commission also agreed to add a language for Moderate Impact Home Occupations, to  
56 allow for one non-resident individual engaged in business-related activities onsite. The  
57 Commission made the following motion.

58 Motion/Second/Carried (Schildt/Pinto) to open the public hearing for Item 10. Ayes: Martinot,  
59 Kapla, Schildt, Vincent, Fong, Pinto, Beach, Lacey. Noes: None. Abstain: None. Absent:  
60 Wrenn. (8-0-0-1)

61  
62 No public comment.

63  
64 Motion/Second/Carried (Schildt/Pinto) to close the public hearing for Item 10. Ayes: Martinot,  
65 Kapla, Schildt, Vincent, Fong, Pinto, Beach, Lacey. Noes: None. Abstain: None. Absent:  
66 Wrenn. (8-0-0-1)

67

68 Motion/Second/Carried (Schildt/Vincent) to recommend to Council to approve all eight of  
69 staff's amendments to the Home Occupations Chapter, with the following modifications: 1)  
70 change the language for visiting hours (23C.16.010.B.6) to read "A Home Occupation shall  
71 establish client or customer visiting hours between 10am to 8pm." 2) Allow one non-resident  
72 employee for moderate impact home occupation by adding the following language to  
73 23C.16.020.B, "A Moderate Impact Home Occupation shall allow for one non-resident  
74 individual engaged in business-related activities onsite." Ayes: Martinot, Kapla, Schildt,  
75 Vincent, Fong, Pinto, Beach, Lacey. Noes: None. Abstain: None. Absent: Wrenn. (8-0-0-1)  
76

77 Public Comments: No speakers.

78 **11. Action: 2018-2019 Planning Commission Work Plan**

79 Commissioner Vincent presented the 2018-2019 Planning Commission Work Plan that the  
80 subcommittee worked on. The Commission discussed the organization of the table and  
81 possibly collapsing the Density Bonus Package in the table. The Commission made the  
82 following motion.

83 Motion/Second/Carried (Kapla/Schildt) to approve the 2018-2019 Work Plan with edits that  
84 Commissioner Vincent will make before sending it to staff to send it to the City Council.  
85 Ayes: Martinot, Kapla, Schildt, Vincent, Fong, Pinto, Beach, Lacey. Noes: None. Abstain:  
86 None. Absent: Wrenn. (8-0-0-1)  
87

88 Public Comments: No speakers.

89 **12. Action: 2019 Planning Commission Calendar**

90 Staff presented the proposed 2019 Calendar and stated that there will only be one  
91 Commission meeting a month. The Commission discussed the pros and cons for having one  
92 meeting scheduled a month versus having two meetings scheduled a month and cancelling  
93 the 2<sup>nd</sup> when needed. The Planning Commission made the following motion.

94 Motion/Second/Carried (Lacey/Kapla) to approve the 2019 Planning Commission Calendar  
95 after changing the July 3<sup>rd</sup> meeting to July 17<sup>th</sup>. Ayes: Kapla, Schildt, Vincent, Fong, Pinto,  
96 Beach, Lacey. Noes: None. Abstain: Martinot. Absent: Wrenn. (7-0-1-1)  
97

98 Public Comments: No speakers.

99 **13. Action: Commercial Recreation Center Permit Threshold Clarification**

100 Staff presented the clarification for the permit threshold of Commercial Recreation Centers  
101 (CRCs) in Neighborhood Commercial districts. The technical amendment presented in the  
102 City Council report would allow CRCs in Neighborhood Commercial districts with an AUP for  
103 under 3,000 sq. ft. uses and UP(PH) for uses over 3,000 sq. ft. The Commission made the  
104 following motion.

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107

Motion/Second/Carried (Pinto/Kapla) to endorse the technical amendment presented in the City Council report. Ayes: Martinot, Kapla, Schildt, Vincent, Fong, Pinto, Beach, Lacey. Noes: None. Abstain: None. Absent: Wrenn. (8-0-0-1)

108 **The meeting was adjourned at 9:26 pm**  
109 **Commissioners in attendance: 8 of 9**  
110 **Members in the public in attendance: 1**  
111 **Public Speakers: 0 speakers**  
112 **Length of the meeting: 2 hours and 23 minutes**